

ZB# 96-32

Steven Radich

78-9-25

#96-32-Radich, Steve

Existing Deck 78-9-25.

Helim.

June 24, 1996.

(Steve has Aps.)

Notice to Sentinel - 6/2/96.

Copy of:

① Deed 4

② Photos 4

③ Fees. ① 50.00

Letters out 6/2/96. ② 300.00

Public Hearing:

July 8, 1996

Area Variance

Granted

Refund: 194.00

78-9-25.

TOWN OF NEW WINDSOR

555 Union Avenue

New Windsor, NY 12553

General Receipt

10000

Received from

June 21 19 *96*
Steven G. and Carol Lynn Radner \$ *50.00*

DOLLARS

For

Fifty and 00/100
Zoning Board Application Fee # 96-32

DISTRIBUTION

FUND	CODE	AMOUNT
<i>CP # 3073</i>	<i>7</i>	<i>50.00</i>

By

Dorothy H. Hansen
Town Clerk

TITLE

ALL AMOUNTS ARE IN U.S. DOLLARS



DISTRIBUTION:

FUND	CODE	AMOUNT
CP#	3073	\$50.00

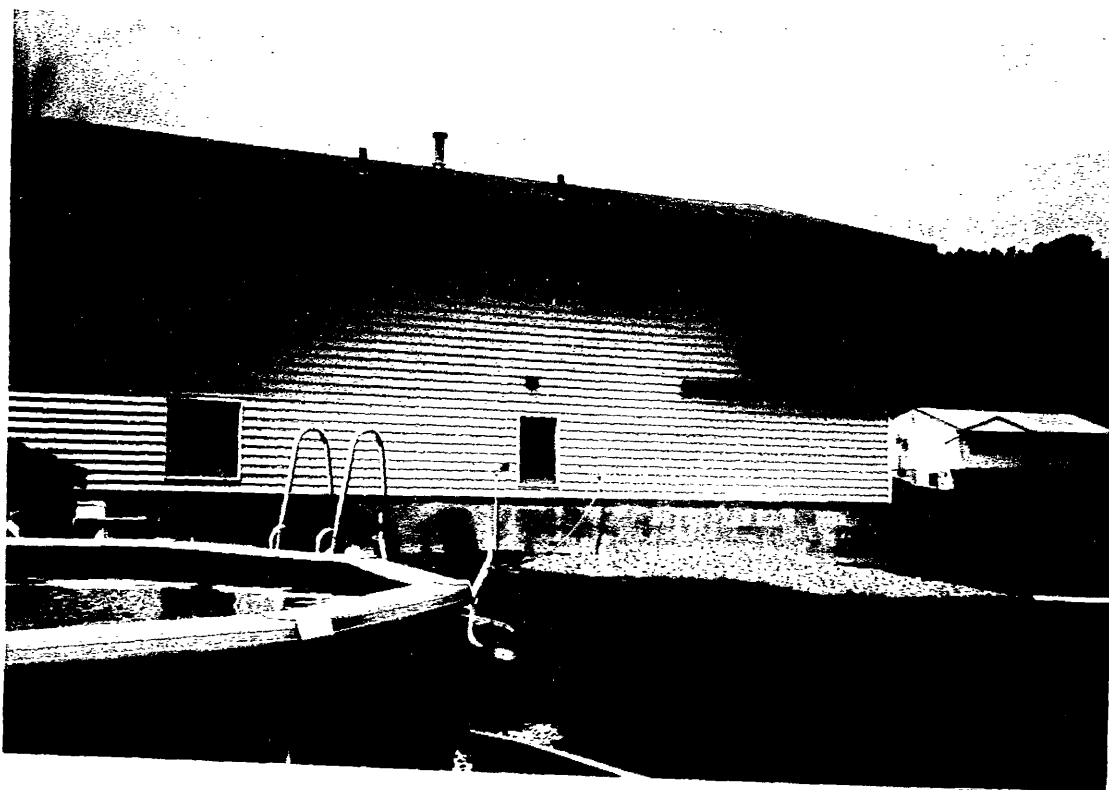
WILLIAMSON LAW BOOK CO., VICTOR, NY 14564

By

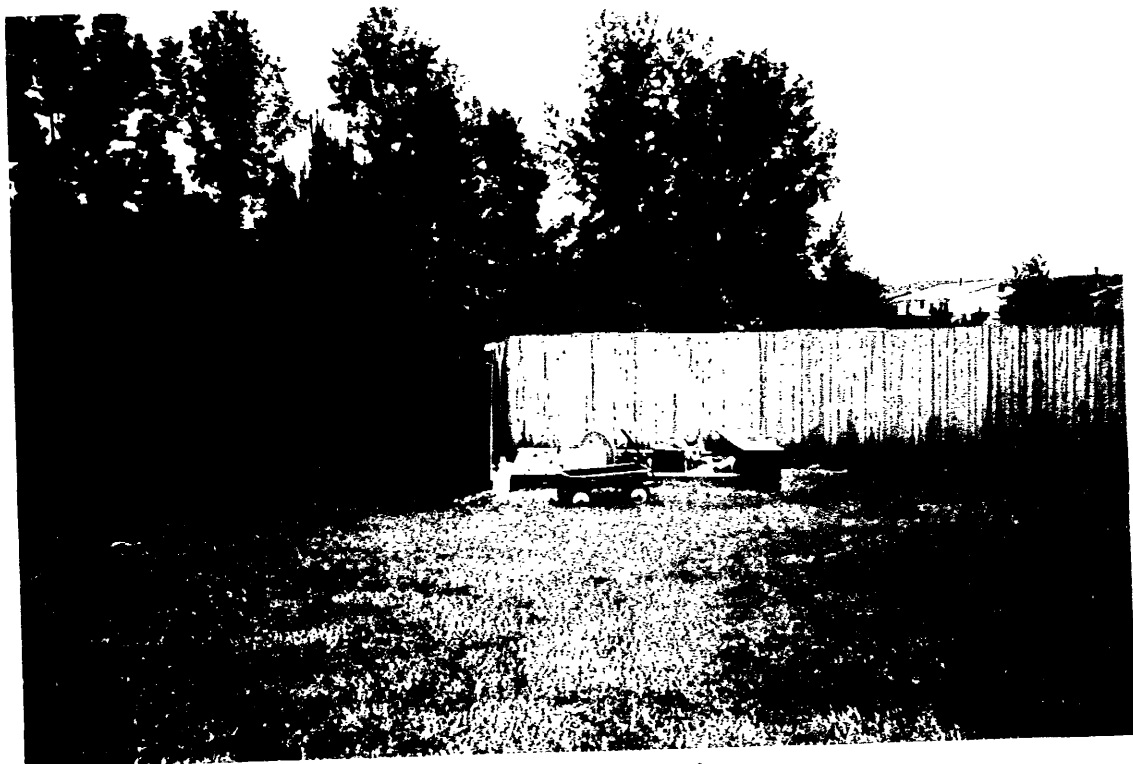
Dorothy H. Hansen

Town Clerk

TITLE



Existing Deck 78-51-25



78-9-25.



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Radich, Steve

FILE # 96-32

RESIDENTIAL: \$ 50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA ☒

USE ☐

APPLICATION FOR VARIANCE FEE \$ 50.00

* * * * *

paid
3073
6/21/96.

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

paid
3074.
6/21/96.

DISBURSEMENTS -

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING - PER PAGE . . . *6/26/96 - 3 pages* \$ 13.50
2ND PRELIM. MEETING - PER PAGE . . . *7/8/96 - 5 pages* \$ 22.50
3RD PRELIM. MEETING - PER PAGE . . . \$ _____
PUBLIC HEARING - PER PAGE . . . \$ _____
PUBLIC HEARING (CONT'D) PER PAGE . . . \$ _____

TOTAL \$ 36.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: . . . *6/26/96* \$ 35.00
2ND PRELIM. *7/8/96* \$ 35.00
3RD PRELIM. \$ _____
PUBLIC HEARING \$ _____
PUBLIC HEARING \$ _____

TOTAL \$ 70.00

MISC. CHARGES:

_____ \$ _____
TOTAL \$ 106.00

LESS ESCROW DEPOSIT . . . \$ 300.00
(ADDL. CHARGES DUE) . . . \$ _____
REFUND DUE TO APPLICANT . \$ 194.00

(ZBA DISK#7-012192.FEE)

STEVEN G. RADICH
CAROL LYNN RADICH
27 GUERNSEY DR.
NEW WINDSOR, NY 12553

50-235 620
219
0231165978

3073

DATE June 21, 96

PAY TO THE
ORDER OF

Town of New Windsor

\$ 50.00

Fifty and

XX
100

DOLLARS

THE
BANK OF
NEW
YORK

7 West Main Street
Windsor, NY 10992

MEMO

ZBA #96-32

Steven G. Radich

⑆021902352⑆ ⑆0231165978⑆ 3073

STEVEN G. RADICH
CAROL LYNN RADICH
27 GUERNSEY DR.
NEW WINDSOR, NY 12553

50-235 620
219
0231165978

3074

DATE June 21, 96

PAY TO THE
ORDER OF

Town of New Windsor

\$ 300.00

Three hundred and

XX
100

DOLLARS

THE
BANK OF
NEW
YORK

7 West Main Street
Windsor, NY 10992

MEMO

Escrow Varise ZBA #96-32

Steven G. Radich

⑆021902352⑆ ⑆0231165978⑆ 3074

Date 8/2 1996.

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Steven Radich DR.

27 Gunnsey Drive

New Windsor, NY 12553

DATE		CLAIMED	ALLOWED
8/2	Escrow Refund #96-32 ZBA	194.00	
<p>Approved: Patricia A. Barnhart ZBA.</p>			

NEW WINDSOR ZONING BOARD OF APPEALS

78-9-25

In the Matter of the Application of

STEVEN RADICH

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#96-32.

WHEREAS, STEVEN RADICH, 27 Guernsey Drive, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 2 ft. rear yard variance to replace an existing deck at the above residence in an CL-1 zone; and

WHEREAS, a public hearing was held on the 8th day of July, 1996 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared before the Board for this proposal; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, there was no opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The subject property is a one-family home located in a neighborhood of one-family homes.

(b) This configuration of the property is unusual being approximately rectangular with a slight jog in the right side yard.

(c) The original 12 x 12 deck was constructed approximately eight years ago with the previous owners applying for and receiving a variance to construct the same.

(d) The proposed deck will be similar to and consistent with the appearance of other

decks on other homes in the neighborhood.

(e) The proposed deck does not interfere with any standing water or watercourse as the property is connected with municipal sewer and water and there is no septic system or leach field on the property.

(f) No vegetation was removed or disturbed in connection with the construction of the deck.

(g) Without the deck on the premises, there would be a considerable drop between the rear exit of the house and the ground resulting in almost certain serious injury for anyone exiting the house by that doorway.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The requested variance is not substantial in relation to the town regulations and is warranted due to the fact that Applicant's residence is located on a peculiarly-shaped lot.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

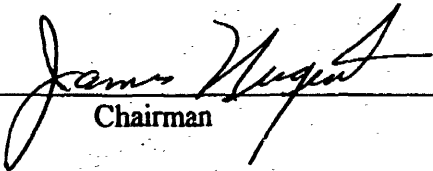
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 2 ft. rear yard variance for replacement of an existing deck located at the above residence, in an CL-1 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: September 9, 1996.


Chairman

Date 7/28/96, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 1247 Sycamore Dr.
New Windsor Ny 12553

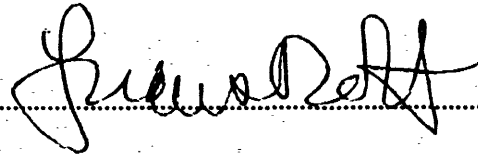
DATE			CLAIMED	ALLOWED
<u>7/28/96</u>		Zoning Board Meeting	75.00	
		Misc. - 2		
		Lujan - 13		
		Eachus - 4		
		KWG Realty - 8		
		Vasquez - 8		
		Badich - 5 #22.50		
		Hartiganer - D.C. Pough - 31		
		<u>71</u>	319.50	
			<u>394.50</u>	

STATE OF NEW YORK,
TOWN OF NEW WINDSOR

} ss.

I hereby certify, that the items of this account are correct; that the disbursements and services charged therein have in fact been made and rendered, and that no part thereof has been paid or satisfied, that the amount herein mentioned is in full settlement for all services rendered and materials furnished.

Sign Here



No.

Town of New Windsor

Nature

Amount Claimed \$

Amount Allowed \$

Filed

I hereby certify that at a meeting of
said Town Board held at the office of the
Town Clerk on the day
of, 19.....

the within claim was audited and allowed
for the sum of

\$

.....
Clerk

RADICH, STEVEN

MR. TORLEY: Request for 2 ft. rear yard variance for deck at 27 Guernsey Drive in a CL-1 zone.

Mr. Steven Radich appeared before the board for this proposal.

MR. TORLEY: Is there anyone in the audience that wishes to speak on this?

MR. KRIEGER: Let the record reflect there are none.

MS. BARNHART: I sent out 59 letters sent out and I have an affidavit of mailing here.

MR. TORLEY: Okay, you're on.

MR. RADICH: The variance is just to improve an existing deck that was already at the residence, when we bought the house in 1990 at the time when we bought it, we weren't aware of an existing variance that the builder had taken out to provide a minimal 12 x 12 deck on the residence already. We decided to make it bigger just to have a little bit more usable room we had taken down the old deck prior to I think we applied for the building permit and we started to disassemble the old deck, that is when we found out there wasn't a variance existing so that is why the picture's showing no deck there at all so really--

MR. KANE: What size deck are you putting up now?

MR. RADICH: We want to make it 14 out from the house instead of the original 12.

MR. KANE: 14 wide deck is where the two feet is going to be required.

MR. RADICH: Right because the rear yard original variance--

MR. KANE: Because it has the kink in it.

MR. RADICH: Right from the picture.

MR. KANE: That is standard with other decks that are in your neighborhood.

MR. RADICH: That is actually below most decks are probably twice the size of that. My property is different, all of my neighbors have long front to back measurements, mine is more of a rectangle shape.

MR. KANE: You're right in from the corner.

MR. RADICH: First driveway that you'd see on the right.

MR. KANE: How far off is it from your kitchen doors to the ground?

MR. RADICH: Almost 9 feet.

MR. KANE: About a 9 foot drop so actually just the improvement on the deck is going to make it a, improve the safety?

MR. RADICH: I would believe so. We also are changing the stairwell instead of they just had a long straight stairwell about 16 stairs which is in my mind a little dangerous for people so we're going to be putting an L-shaped.

MR. KANE: Are you going to be using the existing footprints?

MR. RADICH: No, everything new from the ground up. I have a contractor doing the whole thing.

MR. KANE: The only shrubs that will be taken out from there will be the grass in the area, no trees?

MR. RADICH: Actually, there probably won't even be the old footings that you can't see here are about three feet in from the gravel so actually, the new footings would be at the end of the gravel so really won't be any grass more removed.

MR. KANE: This won't create any additional runoff to

any of your neighbors?

MR. RADICH: No, all the elevations in the grading will be exactly the same. The runoffs from the roof will go towards the front.

MR. KANE: Even though it's self-created, you believe this to be a necessity for safety reasons?

MR. RADICH: For use and for safety, right.

MR. TORLEY: Right now also no deck there?

MR. RADICH: No.

MR. TORLEY: So absent this variance, you'd have a safety hazard in your house?

MR. RADICH: I have had one for a couple weeks, right.

MR. KRIEGER: You would continue to have a safety hazard?

MR. RADICH: I will.

MR. KRIEGER: How long have you owned the house?

MR. RADICH: 1990, so it would be about six years.

MR. KRIEGER: Up until a couple of weeks ago there was a deck?

MR. RADICH: Yes, it was there when we bought it.

MR. KRIEGER: Did you receive any complaints?

MR. RADICH: No.

MR. KANE: The condition of the old deck.

MR. RADICH: It was torn down for safety reasons. My, actually, the contractor and my homeowner's insurance agent recommended the fact which they are paying part of they considered it unsafe between the original construction and the wear and tear of the, I have been

there 6, but the deck's been up about 8 because the house was used by one of the original builders.

MR. KANE: That particular area, a deck came down.

MR. RADICH: Yeah, there was one where people got hurt, especially with the winter and my wife didn't, wouldn't let anyone go on the deck. I would still go on it, but the stairway was very shaky and that was another part of the reason why we took it down right away, even if we don't put one up right away, we just didn't want anything to happen in case more than four or five people went out at one time. It's not bad if it's only a few feet but 9 feet is a little bit too much.

MR. TORLEY: What's the requirement for rear yard?

MR. KANE: 40.

MR. RADICH: They had a variance from the original builder.

MR. SCHMIDT: I don't have my bulk tables with me.

MS. BARNHART: I think it's 30, 40 is just regular.

MR. TORLEY: We don't see a record for a variance on the deck which means that it is probably built just--

MR. RADICH: This says variance approved 1989 file 89-41.

MS. BARNHART: Says here required rear yard is 29, that doesn't make sense.

MR. RADICH: That is with the old variance.

MR. SCHMIDT: Actually, when the variance was approved in '89 rear yard was 40 feet, I don't know if that has been changed or not since then.

MR. TORLEY: Since there are no members of the public present, I'll open and close the public hearing. Any other questions? Ask our attorney whether he feels there's sufficient data in the record for the decision.

MR. KRIEGER: There's no accumulation of water underneath or no drainage course?

MR. RADICH: No. All the grading is from that point is away from the house. It's relatively level lot anything from the roofs just runs off to the side and front of the property and to the rear.

MR. KRIEGER: There has always been that stone surface?

MR. RADICH: Since 19, since when I moved in there was just dirt there prior to that I just put the stone under the deck.

MR. REIS: Make a motion that we grant Mr. Radich his requested variance for 27 Guernsey Drive.

MR. LANGANKE: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. LANGANKE	AYE
MR. TORLEY	AYE

Prelim:
June 24, 1996.
96-32

OFFICE OF THE BUILDING INSPECTOR - TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: JUNE 4, 1996

APPLICANT: STEVEN RADICH
27 GUERNSEY DRIVE
NEW WINDSOR, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED: MAY 24, 1996

FOR (BUILDING PERMIT): 14FT. X 17FT. DECK (*Existing*)

LOCATED AT: 27 GUERNSEY DRIVE

ZONE: CLI

DESCRIPTION OF EXISTING SITE: SECTION: 78, BLOCK: 9, LOT: 25
EXISTING ONE FAMILY HOME

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. DECK DOES NOT MEET THE REQUIRED REAR YARD SET-BACK OF 29.7FT.
(VARIANCE APPROVED 1989 - FILE #89-41)

Ant Schmitt
BUILDING INSPECTOR

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE: CLI	USE CLI BULK TABLE	
REQ'D REAR YD.	29.7FT.	27.7FT.
		2FT.

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT
914-563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD

CC: Z.B.A., APPLICANT, B.P. FILES.

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

IMPORTANT

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing is completed and before it is covered from inside and plumbing rough-in.
5. Insulation.
6. Plumbing final and final. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Permit number must be called in with each inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

PLEASE PRINT CLEARLY

FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises STEVEN RADICH

Address 27 GUENSBY DR. NEW WINDSOR Phone 565-6229

Mailing Address SAME

Name of Architect _____

Address _____ Phone _____

Name of Contractor THE CEDAR SHOP

Address 56 RY 17TH HARRIMAN Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder BUILDER

If applicant is a corporation, signature of duly authorized officer.

FOR OFFICE USE ONLY

Building Permit # _____

1. On what street is property located? On the S side of GURNSEY DR.
(N, S, E or W)
and _____ feet from the intersection of _____
2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____
3. Tax Map Description: Section 78 Block 9 Lot 25
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
 - a. Existing use and occupancy SINGLE FAMILY
 - b. Intended use and occupancy SAME
5. Nature of work (check if applicable) New Bldg ☐ Addition ☒ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☐
6. Is this a corner lot? _____
7. Dimensions of entire new construction. Front 17 Rear 17 Depth 14 Height 9' No. of stories 1
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____

Heating Plant: Gas _____ Oil _____ Electric/Hot Air _____ Hot Water _____

If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost 3175 Fee _____
(To be Paid on this Application)
11. School District _____

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

1 / 19

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi, Ernst Schmidt
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 564-4618 563-4615
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

REFER TO:

Planning Board ☐ Highway Dept ☐ Sewer ☐ Water ☐ Zoning Board of Appeals ☐

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

Carol Radich

(Address of Applicant)

27 Guernsey Dr New Windsor

12

PLOT PLAN

NOTE:

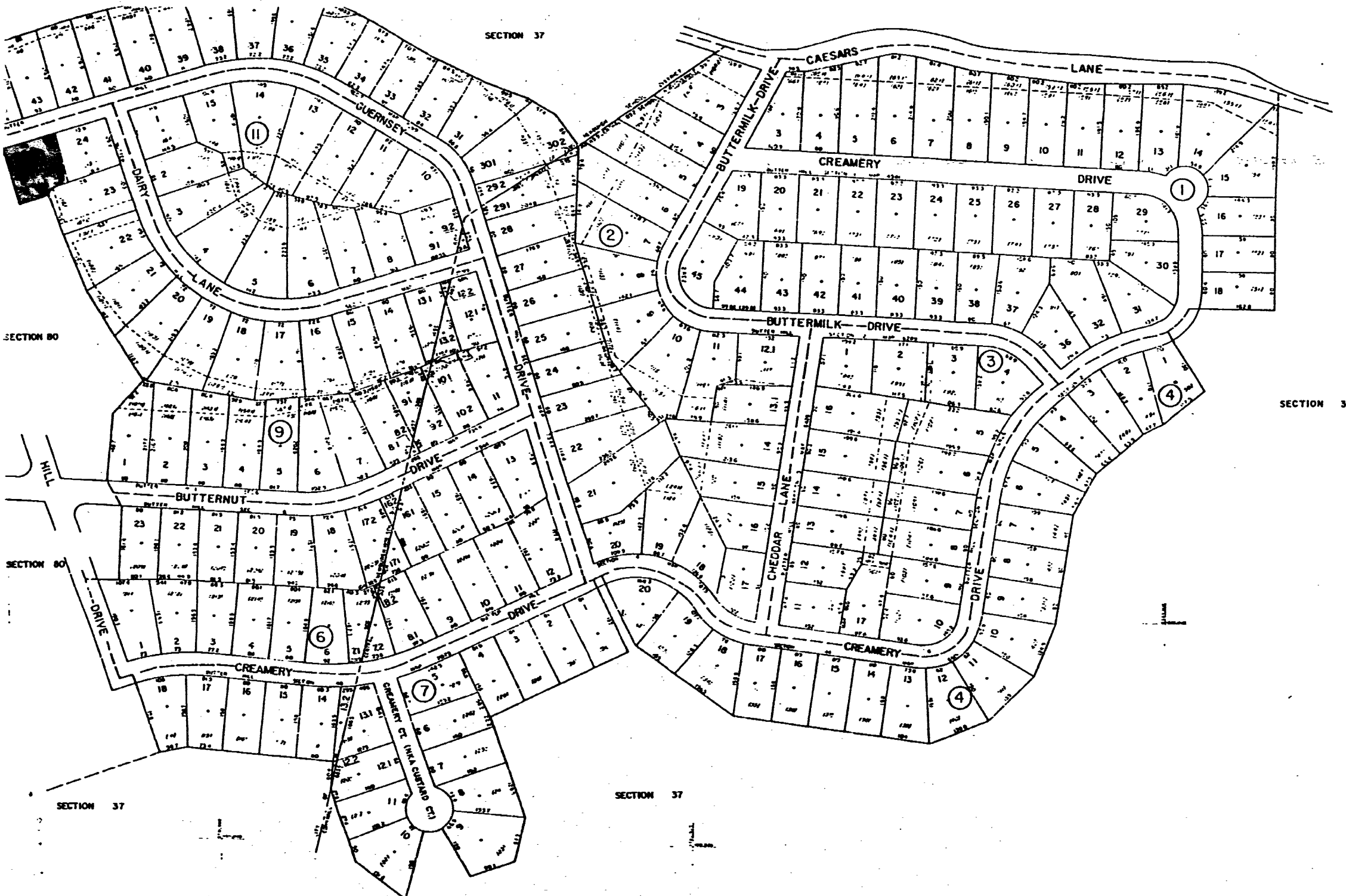
Locate all buildings and indicate all set back dimensions. Applicants must indicate the building line or lines.

N

W

E

S



SECTION 37

SECTION 37

SECTION 37



B.M.I. CONSTRUCTION, Inc.

THE DECK SPECIALISTS

Monroe, New York
(914) 782-6533

Pomona, New York
(914) 362-1647

JOB NAME: RADICH

JOB # 96-27

ADDRESS: 27 GORSEY

• SPECIFICATIONS FOR PROPOSED DECK •

- Footings:** 12"x12"x _____ DEEP POURED CONCRETE 2" ABOVE GRADE
- Posts:** 4"x6" NOTCHED AND LAGGED TO GIRDER WITH METAL PLATES AT BASE
ATTACHED TO FOOTINGS WITH METAL FASTENERS
- Backplate:** 2"x _____ ATTACHED TO HOUSE WITH 3/8"x5" GALVANIZED LAGS 16" O.C.
- Girder:** DOUBLE 2"x _____ WITH MAXIMUM SPAN BETWEEN POSTS OF 96"
- Joists:** 2"x _____ SET 16" O.C. ATTACHED TO BACKPLATE WITH GALVANIZED
HANGERS. MAXIMUM SPAN _____
- Decking:** 5/4"x6" SET AT 45° ANGLE
- Railing:** 2"x2" SPINDLE 6" O.C. WITH DOUBLE SIDE CAP AND TOP CAP.
RAILING HEIGHT TO BE 36"

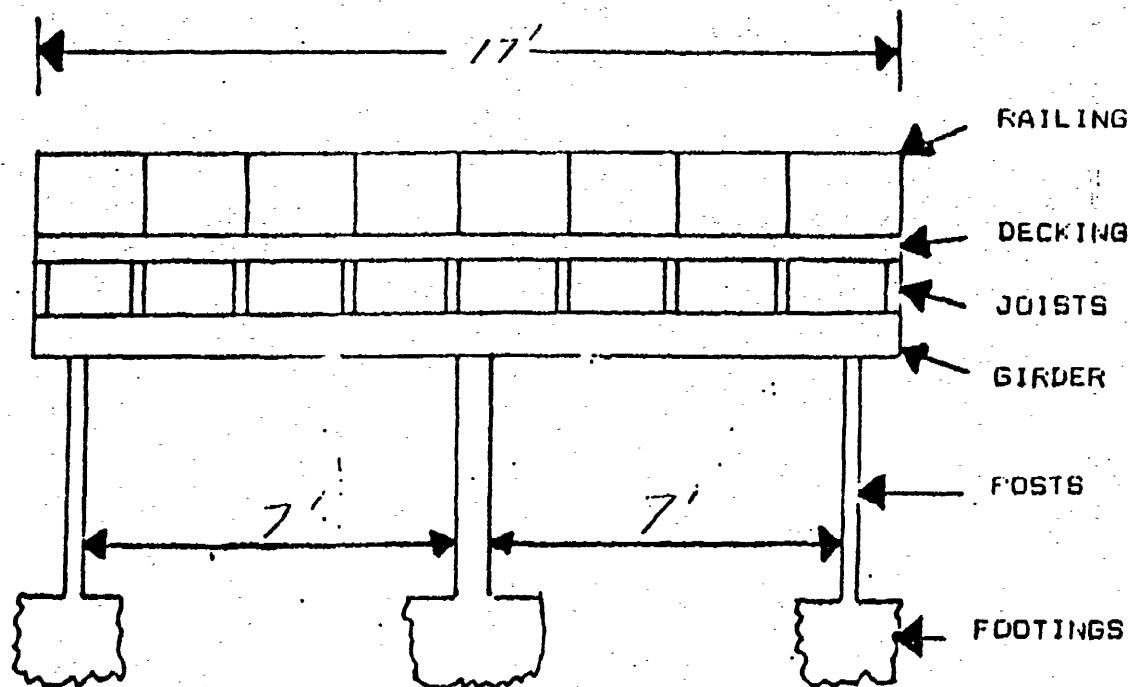
ALL WOOD USED TO BE #1 TREATED PINE WITH .40 CCA

JOB NAME:

BMI CONSTRUCTION INC.
23 DOROTHY DR.
MONROE, N.Y. 10950

FRONT VIEW

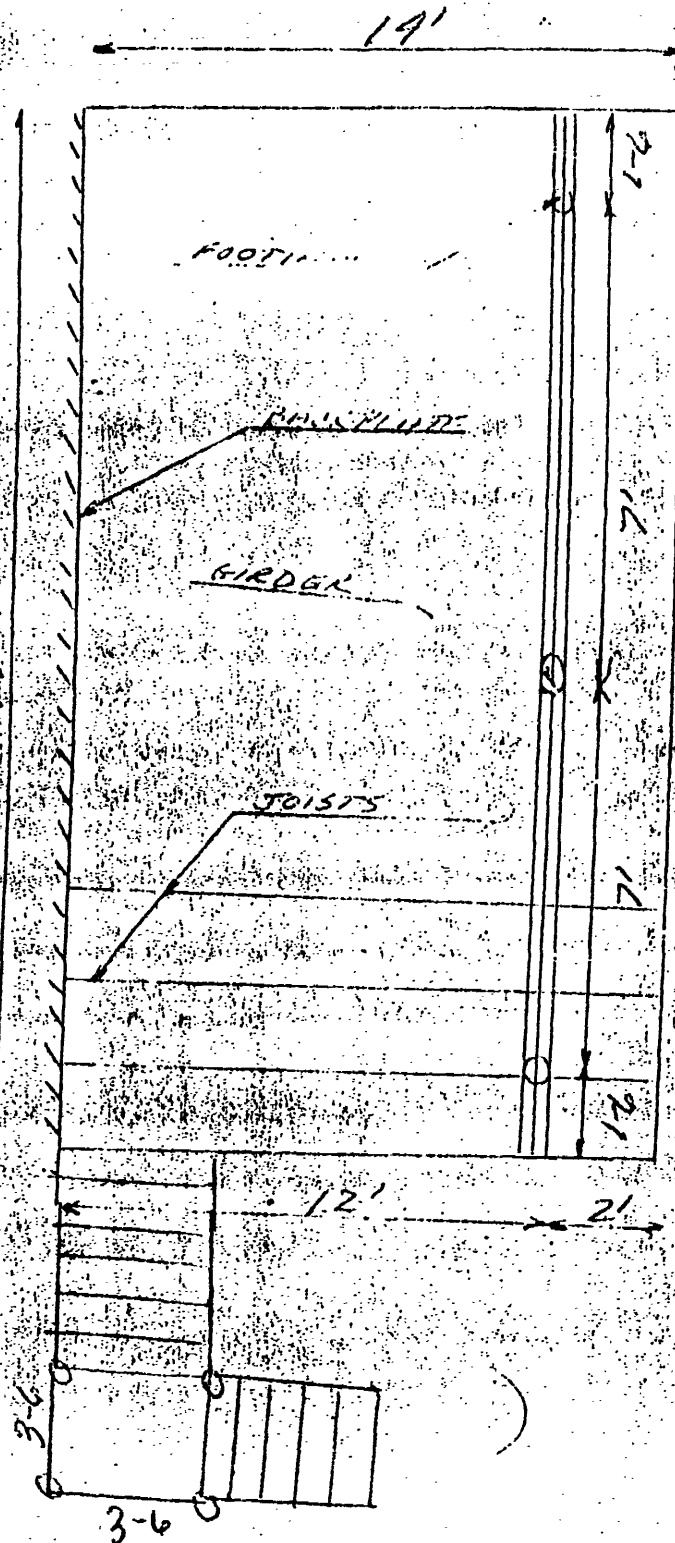
(NOT TO SCALE)



THE CEDAR SHOP

56 Route 17M
Harriman, NY 10926
(914) 782-6533

PROPOSED DECK



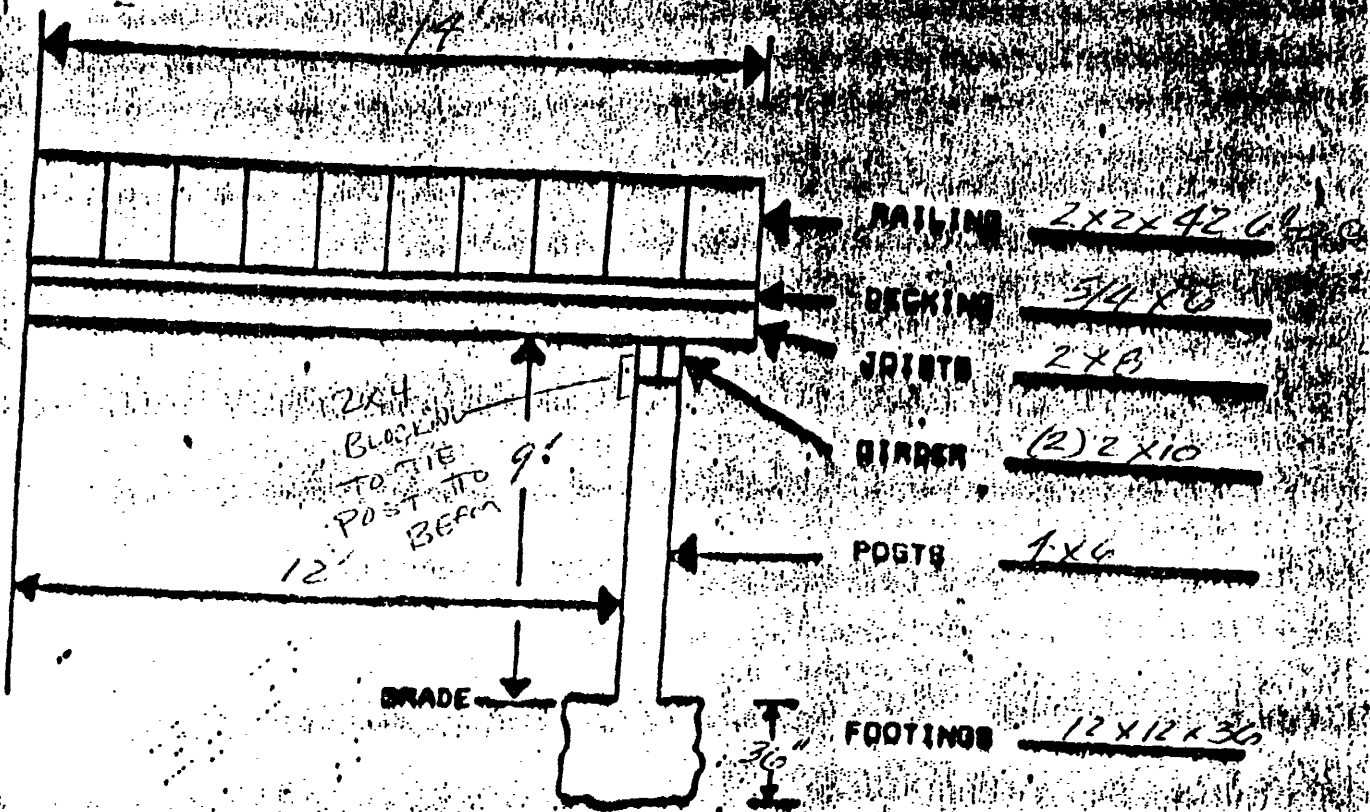
DECK HEIGHT 9"

STAIRS: ROUTED & SCREWED
2X10 STRINGERS & TREADS
MAX RISE 3 1/8"
MIN RUN 9 1/2"

JOB NAME:

SIDE VIEW
(NOT TO SCALE)

EXISTING HOUSE



CONC. CURB

N 82° 42' 53" E

112.98'

2.02'

29 9 inches
115.35'

43.9'

PAVED DRIVE

CONC. STDOP

2' CANTILEVER

32.0'

RAISED RANCH RESIDENCE

29.9'



DECK

12'

41.7'

LOT 152
12,501 ± S.F.
0.29 ± AC.

S 80° 20' 00" W
68.69'

108.28'

S 80° 20' 00" W
39.59'

PARCEL 151.1
626 ± S.F.

S 80° 20' 00" W
58.08'

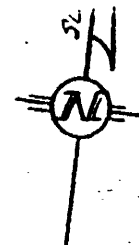
(PARCEL 154.1)

(PARCEL 153.1)

(ORIGINAL LOT LINE
N 7° 17' 07" W 125.54')

N 9° 40' 00" W

7.23'



original
be valid

3. Certific
is pre
governmer
is not
owners.

SPECIAL NOTE

1. Being Lot
entitled
in the G,
No. 759?
Subdivisi
Lot 152,
approved
November

2 No certi
surface

3. Offset

4. This sur
Report c
easement

(LOT 151)
Variance
Sweets
40 Ft

CERTIFICATION

I hereby certify to Moodna Devel
resulted from an actual field su
completed on 26 February 1987 per
Code of Practice adopted by
Professional Land Surveyors Inc.,
knowledge and belief, correct.

828667

		ELIAS D. GREVAS LAND SURVEYOR 33 QUASSACK AVENUE NEW WINDSOR, NEW YORK
REVISIONS:		
DATE	DESCRIPTION	

In the Matter of Application for Variance of

Applicant.

96-32

PATRICIA A. BARNHART, being duly sworn, deposes and says:

On June 24, 1996., I compared the 59 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for variance and I find that the addressees are identical to the list received. I then mailed the envelopes in a U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart
Patricia A. Barnhart

Sworn to before me this
24th day of June, 1996.

Rebecca Owen
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1997

(TA DOCDISK#7-030586.AOS)

Date 6/26/96, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 147 Sycamore Pl DR.
New Windsor Ny 12553

DATE			CLAIMED	ALLOWED
<u>6/26/96</u>		Zoning Board Meeting	75 00	
		Misc. - 2		
		Bila - 2		
		Hartiganer - 18		
		Radich - 3 13.50		
		Tepper - 4 13.00		
		Schultz - 3	144 00	
		<u>32</u>	<u>219 00</u>	

COPIED FROM THE
TOWN OF NEW WINDSOR
RECORDS
DATE 10/10/96
BY [illegible]

RADICH, STEVE

MR. NUGENT: Request for 2 ft. rear yard variance for deck at 27 Guernsey Drive in a CL-1 zone.

Mr. Steve Radich appeared before the board for this proposal.

MR. NUGENT: You don't have anything yet? You came here before you actually did it?

MR. RADICH: Well, I'm trying to do it the right way, I took it down and when the building permit got rejected cause I didn't know it was a variance from the original building.

MR. NUGENT: That is a heck of a step out of the door, isn't it?

MR. RADICH: Yeah, just the first one. I didn't know that the original builder had a variance so we--

MR. NUGENT: I didn't know if they did either.

MR. RADICH: Yeah, they do.

MS. BARNHART: They do. I looked it up.

MR. RADICH: I took it down assuming that it would be okay and filed a permit, came back and just because of the rear yard, so we said why don't we put it on hold until we get the variance and I'll start it after that. It's steep, it's 9 feet, we want to make it bigger, it's a very small 12 x 12 and with the stairwell and as soon as you put a couple chairs there, there's real no room for anyone.

MR. KANE: You need a variance because of the fence area?

MR. RADICH: Yeah, basically that rear section that you see that drops back that was added onto the original lot when the builder sold so I have, we have the rear there but the deck, if you look from the back of the house, there's a section about 12 feet and 18 that is

going to be rebuilt, it's a very strange property line.

MR. KANE: I live there.

MR. RADICH: Well, then you probably know. Those are the original plans.

MR. REIS: How large of a deck do you want to make?

MR. RADICH: 14 foot out from the house and 17 or 18 across the back from 12 x 12 that was existing.

MR. NUGENT: At least he doesn't have one now, that is something new.

MR. RADICH: Part of the reason that we did this it was a very shotilly (sic.) built to begin with and it was old one, we were afraid to let the kids lean on it. Well, the one collapsed a few years ago, if you recall in Butterhill, I said if it made it through this winter, I'm not going to push my luck so let's redo it.

MR. NUGENT: Questions?

MR. LANGANKE: I have none.

MR. NUGENT: I'll accept a motion.

MR. LANGANKE: I make a motion that we set the applicant Steve Radich up for his requested two foot rear yard variance.

MR. REIS: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. LANGANKE	AYE
MR. NUGENT	AYE

MS. BARNHART: We're all set for July 8th.

MR. KRIEGER: By law, the zoning board must consider certain criteria set forth in the state law which I

June 24, 1996

24

have written down here and if you would address yourself to those criteria in making your presentation, it would be helpful to the board. Also I would like to look at your deed and title policy, I don't need to keep them.

MS. BARNHART: It's in the file.

MR. KRIEGER: Then that is how I'll look at it.

MR. RADICH: Okay so this will be for the public hearing?

MR. KRIEGER: Yes, those are the criteria.

MR. RADICH: Very good, thank you.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

59

June 12, 1996

Mr. Steven G. Radich
27 Guernsey Dr.
New Windsor, NY 12553

Re: Tax Map Parcel #78-9-25
Steven G. Radich & Diane M. Byrne

Dear Mr. Radich:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's office.

Sincerely,

Leslie Cook
LESLIE COOK
Sole Assessor

/po
Attachments

cc: Pat Barnhart, ZBA

Hauser, William J. &
Condron, Mara
34 Guernsey Dr.
New Windsor, NY 12553

D'Alo, Joseph E. & Joyce M.
36 Guernsey Dr.
New Windsor, NY 12553

Lucas, David W.
38 Guernsey Dr.
New Windsor, NY 12553

Sawoska, Henry & Louise
40 Guernsey Dr.
New Windsor, NY 12553

Koster, Patricia Lynn
42 Guernsey Dr.
New Windsor, NY 12553

Nestor, Tara L.
44 Guernsey Dr.
New Windsor, NY 12553

Ragni, Jeffrey E.
46 Guernsey Dr.
New Windsor, NY 12553

Mendillo, Michael & Wanda
48 Guernsey Dr.
New Windsor, NY 12553

Hughley, Freeman & Vanley
50 Guernsey Dr.
New Windsor, NY 12553

Perez, David Anthony &
Lourdes, Zapata
200 Butterhill Dr.
New Windsor, NY 12553

Tarsio, Janine &
Cappelli, Mary Ann
216 Dairy Lane
New Windsor, NY 12553

Olivier, Yvon & Yolene Monchais
214 Dairy Lane
New Windsor, NY 12553

Moo, Albert & Marion
325 Guernsey Dr.
New Windsor, NY 12553

McCormack, Raymond & Laura
223 Dairy Lane
New Windsor, NY 12553

Smith, Robert & Peggy
221 Dairy Lane
New Windsor, NY 12553

Busweiler, Michael T. & Maureen A.
219 Dairy Lane
New Windsor, NY 12553

Vinci, Bernadette &
Moore, Cindy
217 Dairy Lane
New Windsor, NY 12553

Walker, Gerard J. & Cheryl
215 Dairy Lane
New Windsor, NY 12553

Walsh, John P. & Lisa A.
213 Dairy Lane
New Windsor, NY 12553

Rosteck, Jan & Angelina
320 Butternut Dr.
New Windsor, NY 12553

Arce, Joseph & Milagros
322 Butternut Dr.
New Windsor, NY 12553

Novotny, William B. & Lorraine A.
23 Guernsey Dr.
New Windsor, NY 12553

Smith, James B. & Susan J.
212 Dairy Lane
New Windsor, NY 12553

Marinelli, Michael G. & Lisa A.
210 Dairy Lane
New Windsor, NY 12553

Mundy, David John & Carolyn R.
208 Dairy Lane
New Windsor, NY 12553

Spanakos, Michael & Maureen
15 Guernsey Dr.
New Windsor, NY 12553

Benilli, Steven &
Salerno, Laurene
17 Guernsey Dr.
New Windsor, NY 12553

Winderbaum, David & Janet
19 Guernsey Dr.
New Windsor, NY 12553

Curry, Kenneth J. & Susan
21 Guernsey Dr.
New Windsor, NY 12553

Jeune, Kenneth Louis &
Monroig, Madeline
215 Butterhill Dr.
New Windsor, NY 12553

Mullin, Maureen &
Scheck, Alan D.
213 Butterhill Rd.
New Windsor, NY 12553

Weber, John T.
211 Butterhill Dr.
New Windsor, NY 12553

Mundy, Peter & Joan
209 Butterhill Dr.
New Windsor, NY 12553

Busija, Michael J. & Leonia
207 Butterhill Dr.
New Windsor, NY 12553

Gafford, James & Dorothy Bruner
PO Box 4754
New Windsor, NY 12553

Pospisil, Michael & Karen
167 S. Harrison Ave.
Congers, NY 10920

Sanchez, Anthony & Venus
328 Butternut Dr.
New Windsor, NY 12553

Defazio, Maria S. &
Steinheimer, Gail E.
326 Butternut Dr.
New Windsor, NY 12553

Lonkewycz, Boris & Christina
57 Guernsey Dr.
New Windsor, NY 12553

Citibank NA
15851 Clayton Rd., West
Ballwin, MO 63011

Carpenter, Brian R. & Janet M.
96 Guernsey Dr.
New Windsor, NY 12553

Keating, James F. & Nancy E.
94 Guernsey Dr.
New Windsor, NY 12553

Hernandez, Louis
92 Guernsey Dr.
New Windsor, NY 12553

Reilly, John T. & Tina M.
60 Guernsey Dr.
New Windsor, NY 12553

Armida, Michael J. &
Neroda, Mary Ann
58 Guernsey Dr.
New Windsor, NY 12553

Hatala, Charles & Nancy E.
56 Guernsey Dr.
New Windsor, NY 12553

Albaugh, Teresa
201 Butterhill Dr.
New Windsor, NY 12553

Suraci, James D. &
Olivieri, Jeannie
202 Butterhill Dr.
New Windsor, NY 12553

Stukonis, Peter C. &
Elstob, Margaret M.
204 Butterhill Dr.
New Windsor, NY 12553

Gutshall, Roy B. & Cynthia J.
705 Mara Dr.
Blue Bell, PA 19422

Devita, Cynthia J. & Thomas J. Dillon
208 Butterhill Dr.
New Windsor, NY 12553

Gallo, Joseph R. & Martha H.
210 Butterhill Dr.
New Windsor, NY 12553

Fox, John P.
212 Butterhill Dr.
New Windsor, NY 12553

Guido, John F. &
Hynes, Leslie C.
2 Park Place, Apt. #1B
Newburgh, NY 12550

Bigi, Donald & Donna J.
216 Butterhill Dr.
New Windsor, NY 12553

Sycamore Associates LLC
431 Blooming Grove Tpke.
New Windsor, NY 12553

Scott, William & Dorothy
8 Cedar Lane
New Windsor, NY 12553

VSH Realty, Inc. V0731
777 Dedham St.
Canton, MA 02021

Ridgecrest Baptist Church
PO Box 4070
New Windsor, NY 12553

Pls. publish immediately. Send bill to Applicant at below address.

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 32

Request of Steven G. Radich

for a VARIANCE of the Zoning Local Law to permit:

Existing deck w/ more than the allowable
rear yard;

being a VARIANCE of Section 48-12 - Table of Use/Bulk
Reqs. - Col. G.

for property situated as follows:

27 Guernsey Drive, New Windsor, N.Y.

known as tax lot Section 78 Block 9 Lot 25.

SAID HEARING will take place on the 8th day of July,
1996, at New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York, beginning at 7:30 o'clock P. M.

James Nugent
Chairman

By: Patricia A. Barnhart, Secy.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 5th day of June, nineteen hundred and NINETY
BETWEEN

MOODNA DEVELOPMENT CO., INC., a domestic corporation,
having its principal place of business located at No. 33 Sweet Briar Road,
Stamford, CT 06905,

party of the first part, and

STEVEN G. RADICH and DIANE M. BYRNE, AS TENANTS IN
COMMON, both residing at 211 Cartwheel Court, Washingtonville, New York
10992,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of -----TEN-----

-----(\$10.00)----- dollars,

lawful money of the United States, and other good and valuable consideration paid
by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,

lying and being ~~more~~ more particularly described on the attached Schedule "A"

PROVIDED that the parcel identified as Lot. No. 152.1 shall not be built upon and shall not be used for the computation of municipal setback requirements. Lot No. 152.1 is restricted as an ever-green area.

BEING a portion of the premises described in that certain deed dated May 2, 1986 from GEORGE R. KROM, JR. AND DONALD T. KROM to MOODNA DEVELOPMENT CO., INC., which deed was recorded in the Orange County Clerk's Office on May 28, 1986 in Liber 2522 of Deeds at page 119.

This deed is given in the usual course of corporate business of the party of the first part and does not exhaust or substantially deplete the assets of the corporation.

ALL that certain piece or parcel of land lying, situate and being in the Town of New Windsor, Orange County, NY, being Lot No. 152 and Open Space Parcel No. 152.1, as shown on a map entitled "Butter Hill Section 7", said map having been filed in the Orange County Clerk's Office on April 28, 1986 as map No. 7599, said lot and Open Space Parcel having revised as shown on a map entitled "Butter Hill Subdivision Lot Line Change, Lot 153, Parcel 153.1, Section 5 and Lot 152, Parcel No. 152.1, Section 7", said map having been approved by the Town of New Windsor Planning Board on November 14, 1984, being more particularly described as follows:

Lot No. 152

BEGINNING at a point in the southerly line of Guernsey Drive, where said line is intersected by the division line between Lot No. 151 and Lot No. 152, as shown on the above referenced filed Map No. 7599, running thence, the following courses:

1. Along said division line, S 7° 17' 07" E, 110.75 feet to a point;
 2. Along the division line between Lot No. 152, and Lot No. 183 and continuing along the division line between Lot No. 152 and Open Space Parcel No. 152.1, S 80° 20' 00" W, 108.28 feet to a point;
 3. Along the division line between Lot No. 152 and Lot No. 153, as shown on the above referenced Lot Line Change Map, N 9° 40' 00" W, 105.35 feet to a point in the southerly line of Guernsey Drive;
 4. Along said line, N 82° 42' 53" E, 112.98 feet to the point or place of beginning.
- Containing 12.501 square feet, 0.29 Acres of land, more or less.

Open Space Parcel No. 152.1

BEGINNING at a point in the division line between Lot No. 152 and Lot No. 153, as shown on the above referenced Lot Line Change Map, said point being, S 9° 40' 00" E, 105.35' as measures along said line from its intersection with the southerly line of Guernsey Drive, running thence, the following courses:

1. Along the division line between Lot No. 152 and Open Space Parcel No. 152.1, N 80° 20' 00" E, 68.69 feet to a point;
 2. Along the division line between Open Space Parcel No. 152.1 and Open Space Parcel No. 183.1, S 37° 01' 14" W, 14.58 feet to a point;
 3. Along the division line between Open Space Parcel No. 152.1 and Open Space Parcel No. 154.1, S 80° 20' 00" W, 58.08 feet to a point;
 4. Along the division line between Open Space Parcel No. 152.1 and Open Space Parcel No. 153.1, N 9° 40' 00" W, 10.00 feet to the point place of beginning.
- Containing 626 square feet, more or less.

SCHEDULE "A"

LIBER 3318 PAGE 127

STATE OF NEW YORK, COUNTY OF

ss:

STATE OF NEW YORK, COUNTY OF

ss:

On the _____ day of _____ 19____, before me personally came

On the _____ day of _____ 19____, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF ORANGE

ss:

STATE OF NEW YORK, COUNTY OF

ss:

On the 5th day of June 19 90, before me personally came Gerrit V. Lydecker to me known, who, being by me duly sworn, did depose and say that he resides at No. 33 Sweet Briar Road, Stamford, CT 06905; that he is the President of MOODNA DEVELOPMENT CO., INC.

On the _____ day of _____ 19____, before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. _____; that he knows

_____ the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

_____ to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Charles M. Bocker

CHARLES M. BOKER
Notary Public, State of New York
Qualified in Orange County
My Comm. Expires March 31, 1991

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

MOODNA DEVELOPMENT CO., INC.

SECTION

BLOCK

LOT

COUNTY OR TOWN

TO

STEVEN G. RADICH
DIANE M. BYRNE

RETURN BY MAIL TO:

THEODORE J. BENNETT, ESQ.
Murphy & Bennett
717 Broadway
Newburgh, NY 12550

Zip No.

LIBER 3318 PAGE 129

Reserve this space for use of Recording Office.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

RECORDED
INDEXED
JAN 10 1968
LIBRARY OF THE
CITY OF BOSTON

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.


AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

MOODNA DEVELOPMENT CO., INC.


GERRIT V. LYDECKER, PRES.

LIBER 3318 PAGE 128

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

96-32
Date: 6/10/96

I. ☒ Applicant Information:

- (a) Steven G. Radich 27 Guernsey DR. New Windsor, NY (565-6229)
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ☒ Property Information:

- (a) CLI 27 Guernsey DR. New Windsor, NY 78,9,25 .29 Acres
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? _____
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 1990, June
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? yes
If so, when? 1989 File #89-41
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

(b) ^{N/A} The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 18-12, Table of Use/Bulk Regs., Col. G.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. <u>29.7 ft.</u>	<u>27.7 ft.</u>	<u>2 ft.</u>
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

Describe why you believe the ZBA should grant your application for an area variance:

✓ We Are trying to improve the quality of our lot + lifestyle. The current Variance obtained by the original builder is inadequate for a usable deck of 12'x12'. For an average family there is no usable space on a small deck area as is. By Increasing the size of the new deck it will coincide with the area of the house. Thus creating a more proportioned look as it relates to the house + the lot in question.
(You may attach additional paperwork if more space is needed)

VI. Sign Variance: *N/A*

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) *N/A* Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation: *N/A*

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

The proposed deck will be installed by a professional carpenter, (The Cedar Shop) Adding both value and beauty to the surrounding areas. The upkeep of both property and deck will be performed by myself. I am a foreman at a landscape Contractor in New Windsor. (Upstate Landscaping). The area in question will be maintained above + beyond a normal look for the area. I'm sure neighbors will be both delighted + impressed by the finished product.

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☒ N/A Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ N/A Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$50.00 and the second check in the amount of \$300.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: _____

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

(Applicant)

Sworn to before me this

____ day of _____, 19____.

XI. ZBA Action:

(a) Public Hearing date: _____.

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)